

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of: Kitchen, et al

Atty Docket No. 136488/ENR002

Serial No.: 9/895.092

Group No.: 2164

Date Filed: June 29, 2001

For: Buying and Selling Goods and Services
Using Automated Method and
Apparatus

Examiner:

CERTIFICATE OF MAILING
Under 37 CFR 1.8

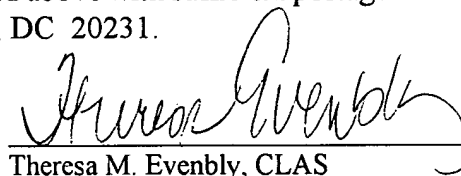
Date of Mailing: May 9, 2002

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AUG 22 2002
GROUP 3600

I hereby certify that this correspondence containing:

1. Letter to OIPE Requesting Corrected Filing Receipt
2. Copy of Original Filing Receipt, Copy of Notice to File Missing Parts and Response filed on October 19, 2001; Copy of Notice of Incomplete Reply and Response Filed on March 22, 2002 and a copy of Erroneous Filing Receipt;
3. Postcard to be stamped and returned acknowledging receipt of this request.
4. The Commissioner is hereby authorized to charge any fee deficiencies and/or credit any fee overpayment to Andrews & Kurth - Mayor, Day, Caldwell & Keeton, Deposit Account No. 50-0897 (136488/ENR002).

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. Sec. 1.10 on the date indicated above with sufficient postage and is addressed to Box SN, Commissioner for Patents, Washington, DC 20231.



Theresa M. Evenbly, CLAS
Paralegal to Gary L. Bush, Esq.

AUSTIN
DALLAS
LONDON
LOS ANGELES
NEW YORK
THE WOODLANDS
WASHINGTON, D.C.



ANDREWS & KURTH
MAYOR, DAY, CALDWELL & KEETON
LLP
ATTORNEYS

700 LOUISIANA, SUITE 1900
HOUSTON, TEXAS 77002
May 8, 2002

TELEPHONE: 713.225.7000
FACSIMILE: 713.225.7047
GARY L. BUSH

Partner
(713) 225-7106
gbush@akllp.com

Office of Initial Patent Examination's
Customer Service Center
United States Patent and Trademark Office
Washington, DC 20231

Re: United States Serial No. 09/895,092
For: Buying and Selling Goods and Services Using Automated Method
and Apparatus
In the Name of Louise J. Kitchen, et al
(Enron Net Works, LLC. – assignee)
Our File No. ENR002/136488

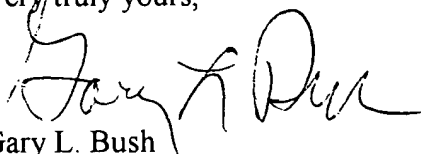
Dear Sirs:

The subject patent application was filed in the U.S. Patent Office June 29, 2001. Notice to File Missing Parts of Nonprovisional Application Filing Date Granted was issued on August 22, 2001 and a Response to Missing Parts was filed on October 19, 2001. A Notice of Incomplete Reply Filing Date Granted was sent from the Patent Office on March 4, 2002 and the appropriate response was filed on March 22, 2002.

We have received an additional copy of the filing receipt from your office, one which reflects a March 22, 2002 filing date. The correct filing date is June 29, 2001 as evidenced by the supporting documents enclosed herewith. Kindly correct the filing receipt to reflect the date the subject nonprovisional application was received in the U.S. Post Office under Express Mail Service – June 29, 2001.

Applicant notes that Revocation and Substitution Power of Attorney will be separately filed for this application. Until then, Applicant respectfully requests that this letter requesting correction of the filing receipt be granted as submitted by the undersigned.

Very truly yours,


Gary L. Bush



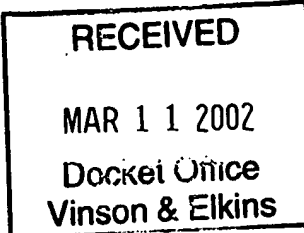
COPY OF PAPER
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/895,092	06/29/2001	Louise J. Kitchen	ENR100/4-17

Stephen S. Hodgson
Vinson & Elkins L.L.P.
2300 First City Tower
1001 Fannin
Houston, TX 77002-6760



CONFIRMATION NO. 6745

FORMALITIES LETTER



OC000000007573998

ANDREW & KURTH

MAR 12 2002

RECEIVED Date Mailed: 03/04/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 10/19/2001 to the Notice to File Missing Parts (Notice) mailed 08/22/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - the application includes photographs of the invention subject matter that appear capable of illustration and which are illegible after scanning (see 37 CFR 1.84(b));

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

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**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
ENR002/0136488

In Re Application Of: **Kitchen**

Serial No.
09/895.092

Filing Date
6/29/01

Examiner

Group Art Unit

Invention: Single Party Buying and Selling Commodities with Multiple Counterparties

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
3/4/02
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Corrected drawing sheets (17 pages)

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**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
ENR002/0136488

In Re Application Of: **Kitchen**

Serial No.
09/895.092

Filing Date
6/29/01

Examiner

Group Art Unit

Invention: Single Party Buying and Selling Commodities with Multiple Counterparties



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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

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☐ **Completion of application fees as calculated below:**

☐ **Utility application filing fee**

☐ **Design application filing fee**

☐ **Total number of independent claims = _____**

☐ **Total number of claims = _____**

☐ **Multiple dependent claims**

☐ **Surcharge for late payment of filing fee and/or late filing of original declaration or oath**

☐ **Petition and fee for filing by other than all the inventors or a person not the inventor**

☐ **Fee for processing an application filed with a non-English language specification**

☐ **Fee for processing and retention of application**

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Total completion of application fees _____

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ **One month** ☐ **Two months** ☐ **Three months** ☐ **Four months** ☒ **Five months**

from: 10/22/01
Date

until: 3/22/02
Date

Total time extension fees \$1,960.00

Total fees due \$1,960.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

**Docket No.
ENR002/0136488**

In Re Application Of: **Kitchen**

**Serial No.
09/895,092**

**Filing Date
6/29/01**

Examiner

Group Art Unit

Invention: Single Party Buying and Selling Commodities with Multiple Counterparties



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

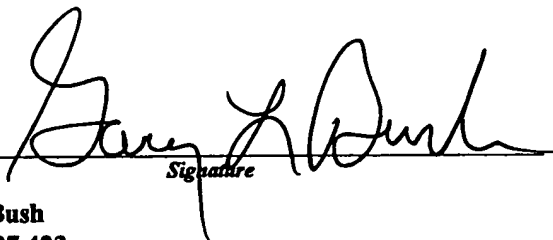
Box Missing Parts

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The fee of **\$1,960.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0897
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0897
A duplicate copy of this sheet is enclosed.

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AUG 22 2002
GROUP 3600**

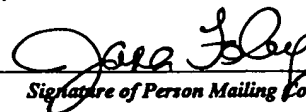

Signature

Dated: *March 22, 2002*

**Gary L. Bush
Reg. No. 27,423
Andrews, Kurth, Mayor, Day, Caldwell & Keeton
700 Louisiana, Suite 1900
Houston, Texas 77002
713/225-7106
713/226-7047 (facsimile)**

*Express
Mail*

I certify that this document and fee is being deposited on *3/22/02* with the U.S. Postal Service as ~~first~~ *class* mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Jana L. Foley

Typed or Printed Name of Person Mailing Correspondence

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Kitchen**

Docket No.

ENR002/0136488

Serial No.

09/895,092

Filing Date

June 29, 2001

Examiner

Group Art Unit

Invention: **Single Party Buying and Selling Commodities with Multiple Counterparties**COPY OF PAPERS
ORIGINALLY FILEDI hereby certify that this **Response to Notice to File Missing Parts and 17 Pages of Corrected Drawings**
(Identify type of correspondence)is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.20231-0001 on **March 22, 2002**
(Date)**Jana L. Foley**

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

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Page 1 of 2

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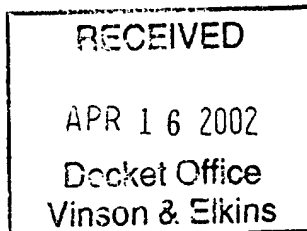
ENR002

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/895,092	03/22/2002	2164	1684	ENR00/0136488	17	58	5

June 29, 2001

Stephen S. Hodgson
Vinson & Elkins L.L.P.
2300 First City Tower
1001 Fannin
Houston, TX 77002-6760



CONFIRMATION NO. 6745
UPDATED FILING RECEIPT



OC000000007852094

ANDREW & KURTH

APR 18 2002

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Date Mailed: 04/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Louise J. Kitchen, Houston, TX;
Jay C. Webb, Houston, TX;
Marcello Romano, London, UNITED KINGDOM;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/215,471 06/30/2000
AND CLAIMS BENEFIT OF 60/218,473 07/14/2000

Foreign Applications

If Required, Foreign Filing License Granted 08/22/2001

Projected Publication Date: 07/18/2002

Non-Publication Request: No

Early Publication Request: No

Title

Buying and selling goods and services using automated method and apparatus

Preliminary Class

705

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).